

TOWN OF SEABROOK ISLAND
Town Council Meeting
May 25, 2021, at 2:30 p.m.

MINUTES

The May 25, 2021, Town Council meeting was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilwomen Finke and Fox, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting. Mayor Gregg called the meeting to order. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act had been met.

Minutes:

The minutes of the Town Council meeting of April 27, 2021, the Public Hearing of April 27, 2021, and the Ways & Means Committee meeting of May 11, 2021, were unanimously approved as written.

Financials:

Mayor Gregg reported that the total fund balance for the period ending April 30, 2021, was \$5,901,882 about \$681,119 more than the fund balance as of April 30, 2020. Unrestricted revenue for April totaled \$230,052 and unrestricted revenue for the year totaled \$493,675, representing about 37% of the 2021 annual budget, and was about \$99,461 more than for the same period in 2020. Expenditures for April totaled \$58,980 and expenditures for the year totaled \$262,234, representing about 19% of the 2021 annual budget. Expenditures for the year were about \$3,810 less compared to the same period in 2020. Excess of revenues over expenditures was \$171,072 for the month of April and the excess of revenues over expenditures for the year was \$231,441 compared to an excess of revenues over expenditures of \$128,080 as of April 30, 2020. Year to date figures for 2021, reflect significantly greater revenue in the period this year as compared to the same period in 2020.

Citizens/Guests Presentations, Comments:

The Town Clerk reported on a comment that was received in advance of the meeting:

- Jean Dunn, 2956 Seabrook Island Road, thanked the Town for the article in the May 2021 Seabrooker about the Beach Patrol. One item that caught Ms. Dunn's attention was – "They almost always give warnings first, because most people are unaware of the offenses." She inquired about how the Town was informing people about beach guidelines, rules and regulations. She particularly was interested in how guests and visitors, who do not have access to Tidelines, were being informed about beach rules. The Town Clerk reported that Mayor Gregg had emailed Ms. Dunn and advised her that a copy of the short-term rental guest packet was available on the Property Owners Association's website and beach rules were available on the Town's website. Mayor Gregg remarked that he thought Ms. Dunn had been informed that the beach rules were included in the packets that were required to be given to rental guests. He added that, in general, he thought the practice of the Beach Patrol was to issue a warning for a first offense. Town Administrator Cronin stated that was accurate; but, depending on the nature of the offense, they were able to initiate code enforcement without first giving a verbal or written warning.

Reports of Standing Committees, Commissions, Boards:

Public Relations/Communications – Pat Fox

Councilwoman Fox reported that seven Seabrook Island radio operators participated in a successful radio test on May 16 at 8:00 p.m. She also reported that the following have been published on Tidelines:

- The TOSI Clips for the May 11 Ways & Means Committee meeting
- Notice of the Emergency Town Council meeting on May 13
- Update on COVID-19 requirements after the Emergency Town Council meeting
- Link to the Town Hall article in the May Seabrooker

- Explanation of Ordinance 2021-01 about leash requirements
- Post about the Town's free shredding event on May 21
- Post from the Utility Commission about installation of new generators
- Notice of May Public Hearing and Town Council meeting

Councilwoman Fox also reported that the final tri-county conference call, number 66, with the Charleston County Emergency Management Department was held on May 19 to discuss COVID-19.

Special Projects/Beach Administration – Barry Goldstein – Absent

Beach Administration/Community and Government Relations – Jeri Finke

Councilwoman Finke reported that the Town had received a complaint that someone on the beach was asked to stay away from the birds. She reported that the Shorebirds Steward Program, that the Town endorses and promotes, was not involved in this complaint. A study, endorsed by the SC Department of Natural Resources (SC DNR) is being conducted and a count is being done on the Red Knots; and, if you are by the Inlet, the participants may ask you not to disturb the birds. Councilwoman Finke found that the Seabrook Island Property Owners Association had gotten a letter from SC DNR explaining the program and she had asked that the Town be copied on letters in the future so that the details can be publicized.

Ways & Means Committee Item Updates – John Gregg

Mayor Gregg reported on the following:

- **Charleston County Rural Vaccination Program** – Mayor Gregg reported that, on May 10, Charleston County Emergency Management Department announced the following vaccination clinics would be held at the Johns Island County Park (2662 Mullet Hall Road):
 - Wednesday, May 12, from 9:00 a.m. to 2:00 p.m. for the first dose
 - Wednesday, June 16, from 9:00 a.m. to 2:00 p.m. for the second dose
- **Disaster Recovery Council** – Mayor Gregg stated that Councilman Goldstein has confirmed that the Town's Disaster Recovery Council has scheduled a hurricane exercise for July 23. Charleston County Emergency Management Department has announced its annual full-scale exercise will be held Wednesday, June 2, 2021. Mayor Gregg expressed the view that, depending on available facilities, it may be possible for limited participation by the Town.
- **Expiration of Emergency Ordinance 2021-02** – At an Emergency Meeting of Town Council held May 13, Town Council considered and approved Emergency Ordinance 2021-03 by which all requirements for wearing of face coverings within the Town were eliminated in favor of encouragement for wearing of face coverings in certain circumstances. In addition, Emergency Ordinance 2021-03 encourages residents to be vaccinated for COVID-19.
- **Town Clerk/Treasurer Recruitment** – Following interviews conducted on May 13, a candidate of interest has been identified for the position of Town Clerk/Treasurer. Council will address the next steps to proceed in executive session during the May Council meeting.

Reports of Ad Hoc Committees: None

Reports of Town Officers:

Mayor – John Gregg

- **Protocols for July Fireworks Display** – Mayor Gregg reported that, on May 15, the Seabrook Island Club announced a revised face covering policy, which is in line with updated CDC guidelines, that provides that fully vaccinated individuals may resume their usual activities without wearing a mask. Those not fully vaccinated should continue to take precaution, including wearing a mask and social distancing inside the Club's indoor venues. It is believed these revisions of guidance will inform the Town's establishment of protocols for the July fireworks event.

- **Charleston County Greenbelt Program Allocation** – Mayor Gregg stated that he had reached out to local organizations to enlist participation of persons in identification of projects that could be eligible for designation of the Town’s Charleston County Greenbelt Program allocation (\$136,173). Councilwoman Finke has confirmed her willingness to take part in that effort.
- **Public comments pertaining to announced opening of water sports business at Bohicket Marina** – Mayor Gregg stated that comments have been received from residents and others expressing concerns with the indication that a water sports business will engage in parasail activities and rental of personal watercraft (jet skis). Mayor Gregg added that the Mayor of Rockville had called and asked where the Town stands on the opening of that business. The Town Administrator stated that the Town had not received an application for a business license yet, but it appears to be a permitted use at the Bohicket Marina location.

Mayor Gregg invited Council to comment. Councilwoman Finke stated that she thought Council should do some research and discuss further before deciding. She added that a jet ski can do a lot of environmental damage to the shoreline and is not sure if Council could limit the type of jet skis that would be permitted. State law only requires that they come no closer than 100 yards of shore; and, with the shoreline at Seabrook Island, people could be 100 yards out. Councilwoman Fox agreed that Council needed to do further research and she would like to hear from the Marina and find out exactly what the business is planning.

Town Administrator/Zoning Administrator – Joe Cronin

- **Beach Patrol Update** – The Town Administrator reported that, during their first month, Beach Patrol has issued a total of 66 warnings, which compares to 73 issued in 2020. They issued their first citation, during the first week of the season, to a repeat offender who was walking in the dunes. There have been 50 leash law violations that have gotten verbal or written warnings, compared to 54 last year. These have all taken place in the general beach area, not the critical habitat area. There have been 9 dune violations. The Beach Patrol continue to do trash service on the beach for the Town. Town Administrator Cronin added that he would like to install at least one more trash container on the beach north of Boardwalk #1.
- **Short-Term Rental Permit Update** – The Town Administrator reported that 470 applications for Short-Term Rental Permits have been received and processed. Of those, about 6 have been withdrawn or cancelled. The next step will be to identify units that are being advertised for rent that do not have a business license or permit and units that are violating any of the requirements of other conditions placed on short-term rental permits.
- **PGA Championship Update** – The PGA Championship took place on the Ocean Course at Kiawah Island the week of May 17. No major issues or incidents took place at the temporary driveway, which was constructed across from the entrance to Bohicket Marina, that led to temporary parking lots.
- **Community Shredding Event Update** – The Town’s shred event took place on Friday, May 21, from 10:00 a.m. to 1:00 p.m. Town Administrator Cronin added that 65 vehicles went through during the event. The next shred event is scheduled for October 29. The event will be advertised closer to that time.

Town Council Members – See Above

Utility Commission: Chair Annie Smith-Jones reported that the Utility Commission met on May 19, 2021. The Net Income for the month of April was \$153,985. Annual availability fees were billed in April. Capital Expenditures for April amounted to \$3,778 and, after adjusting for Capital Expenditures and bond principal and interest, there was a net surplus of \$153,629. Net Income for the year to date through April was \$327,668 and, after adjusting for Capital Expenditures and bond principal and interest, there was a net surplus of \$135,803. For the year to date through April 30, the available cash was \$2,588,963.

Daily average flow for effluent was .39 million gallons per day, with maximum daily flow of 0.486 million gallons for the month. Total effluent and deep well water pumped to Seabrook Island golf courses for irrigation was 6,400,000 gallons of effluent and just over 16,000,000 gallons of deep well water. Total effluent pumped to Oak Point Golf Course was almost 11,000,000 gallons.

The Utility delivered 26,164,979 gallons of water in April compared to 20,291,604 gallons for 2020. The Utility Commission also discussed a contractual issue with Louis Berger regarding their migration of their leave structure for their staff. They continued the discussion of the pond expansion project. Two staff persons will be resigning and there was a discussion regarding staffing, compensation, benefits, etc. The next meeting of the Utility Commission is scheduled for June 16.

Ordinances for Second Reading:

- **Ordinance 2021-02:** An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-02-00-045, containing approximately 0.58 +/- acres located at 2344 Andell Way, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilwoman Finke made a motion to approve Ordinance 2021-02 on second reading as presented. Councilwoman Fox seconded the motion and the vote to approve was unanimous.
- **Ordinance 2021-03:** An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-030, containing approximately 0.29 +/- acres located at 2905 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilwoman Finke made a motion to approve Ordinance 2021-03 on second reading as presented. Councilwoman Fox seconded the motion and the vote to approve was unanimous.
- **Ordinance 2021-04:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; Section 21.20, Fee Schedule; so as to amend the fee schedule for Short-Term Rental Permits. Councilwoman Finke moved to approve Ordinance 2021-04 on second reading as presented. Councilwoman Fox seconded the motion and the vote to approve was unanimous.
- **Ordinance 2021-05:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 7, Lot and Building Requirements; Section 7.90, Height Limitations; so as to amend the maximum height requirements for structures within the town. Councilwoman Finke made a motion to approve Ordinance 2021-05 on second reading as presented. Councilwoman Fox seconded the motion and the vote to approve was unanimous.

Ordinances for First Reading:

- **Ordinance 2021-06:** Approving the Financing of the Improvement, Extension and Enlargement of the Water and Sewer System of the Town of Seabrook Island, South Carolina, through the Borrowing by the Town of not Exceeding \$3,500,000, Including Capitalized Interest, if any, from the State Water Pollution Control Revolving Loan Fund, by Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as Amended; Providing for an Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between the Town and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note from the Town to the South Carolina Water Quality Revolving Fund Authority; and other Matters Relating Thereto.

Councilwoman Finke made a motion to approve Ordinance 2021-06 on first reading as presented. Councilwoman Fox seconded the motion. Mayor Gregg stated that members have been provided his memo summarizing the financing that is to be arranged pursuant to Ordinance 2021-06. The ordinance is substantially the same as the corresponding ordinance approved in connection with the 2012 financing undertaken for improvement of the wastewater sludge treatment plant. The ordinance, the Series 2021 SRF Note and the associate Loan Agreement, have been prepared and/or reviewed by the Town's Bond Counsel, Michael Seezen. The vote for approval of Ordinance 2021-06 on first reading was unanimous.

Miscellaneous Business: None

Citizens Comments:

Mayor Gregg asked if any citizens that were attending the meeting remotely wished to make a comment. No one chose to comment.

Executive Session:

Councilwoman Finke made a motion to enter Executive Session at approximately 3:40 p.m. to discuss personnel matters (Town Clerk/Treasurer). Councilwoman Fox seconded the motion and the vote to approve was unanimous. At approximately 4:03 p.m., Councilwoman Finke made a motion to come out of Executive Session and resume the regular Council meeting. Councilwoman Fox seconded the motion and the vote to approve was unanimous. Mayor Gregg moved for appointment of Kristi Hyde LaMontagna, contingent upon satisfactory completion of a background check, drug test and credit check, as the Town Clerk/Treasurer for the Town of Seabrook Island. Councilwoman Finke seconded the motion and the vote to approve on the contingent appointment as the Town Clerk/Treasurer was unanimous.

Public Comments – Mayor Gregg again asked if anyone would like to make a public comment. Mike McShane, resident of 1501 Raven's Point Road, Johns Island, stated that he is former chairman of SC DNR and current chairman of the South Carolina Conservation Bank. Mr. McShane remarked that he appreciated the interest the Town and the Mayor and Council have displayed in working with its neighbors on Johns Island and thanked the Mayor for Council's participation, especially on the Johns Island Task Force. He added that SC DNR should be able to give Council information and guidance on watersports and asked that careful consideration be applied before giving a municipal license for such activities. Mr. McShane stated that, during the time he had worked with SC DNR, several incidents took place involving rental watersports equipment. He added that he had a case during his tenure where he addressed the General Assembly and explained that a person cannot get a driver's license in South Carolina without having demonstrated competency but that is not the case with recreational boating and there have been unintended consequences at times, particularly with the jet ski. Councilwoman Finke stated that she would like to contact Mr. McShane and inquired as to availability of contact information for him. Mr. McShane replied that the Mayor has that information and the Mayor confirmed that he did.

With there being no further business, the meeting was adjourned at 4:10 p.m.



Date: June 22, 2021

Town Clerk

TOWN OF SEABROOK ISLAND, SC
PUBLIC HEARING MINUTES
May 25, 2021, at 2:25 PM at Town Hall

The May 25, 2021, Public Hearing was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilmembers Finke and Fox, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting.

The ordinances addressed in the Public Hearing of May 25, 2021, were:

- **Ordinance 2021-02:** An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-02-00-045, containing approximately 0.58 +/- acres located at 2344 Andell Way, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District
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Mayor Gregg called the meeting to order. He invited meeting participants to comment on each ordinance in turn and gave instructions on how participants could be heard. No comments were made on any of the ordinances and the meeting was adjourned.

Date: June 22, 2021



Town Clerk